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Attorneys for Defendant Ernesto Pecson

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 04-40182 MJJ

Plaintiff,

[PROPOSED] ORDER AND  
STIPULATION CONTINUING  
HEARING

v.

ERNESTO PECSON,

Defendant.

The government and Defendant Ernesto Pecson hereby stipulate as follows:

1. The parties are currently scheduled for sentencing on a supervised release violation on November 9, 2007 at 2:30 p.m. before the Hon. Martin J. Jenkins.

2. Defense counsel for Mr. Pecson has a scheduling conflict and is unable to appear on November 9<sup>th</sup>.

3. The present matter has been trailing disposition in docket 06-00457 VRW. On August 14, 2007, Mr. Pecson was sentenced on docket 06-00457 to a term of 77 months. Given

STIPULATION AND ORDER  
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1 the fact that Mr. Pecson is currently serving a 6 ½ year sentence, a short continuance in this  
2 matter would not prejudice his case.

3  
4 4. Due to defense counsel's unavailability, the parties stipulate that the sentencing  
5 hearing currently scheduled for November 9, 2007 be vacated and rescheduled for December 21,  
6 2007 at 2:30 p.m.

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8 IT IS SO STIPULATED.

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10 DATED: November 7, 2007

\_\_\_\_\_/s/\_\_\_\_\_  
TRACIE BROWN  
Assistant United States Attorney

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13  
14 DATED: November 7, 2007

\_\_\_\_\_/s/\_\_\_\_\_  
CAMELLIA BARAY  
Attorney for Ernesto Pecson

15  
16  
17 IT IS SO ORDERED.

18  
19 DATED: 11/09/07

20 THE HON. MARTIN J. JENKINS  
21 UNITED STATES DISTRICT COURT

